

PRO SE CHECKLIST BEFORE SUBMITTING DECREES / ORDERS TO THE 326TH DISTRICT COURT

Before submitting your proposed order, review the below to avoid your order being denied:

1. Time requirements have been met. The Court may not grant a divorce before the 60th day after the date the suit was filed.
2. The Respondent must be timely served or the Respondent must execute a Waiver of Service.
3. The Waiver of Service cannot have any blanks. The Waiver of Service must be signed by Respondent AFTER the petition was filed.
4. If an Original Answer has been filed by the Respondent, the Respondent's signature must be on the Order. If the Respondent will not sign the Order, you will need to request a trial setting.
5. The Court cannot divide property, other than personal effects, when the Respondent is served by posting. The Court cannot divide debt when service is done by posting. The affidavit must demonstrate a due diligence search to locate Respondent.
6. If there are children of the marriage you must set a hearing for an attorney to be appointed to represent the Respondent when the Respondent is served by publication.
7. All parties must sign the proposed Decree or Order if there is an agreement. If the Attorney General is a party, they must sign the Order if they are in agreement with, or do not object to, the provisions of the Order.
8. The form you have chosen must be completed in full. If something does not apply to your situation make sure you write none or not applicable. Make sure all appropriate blanks are filled in and check all appropriate boxes. **NO BLANKS MAY BE LEFT IN THE DECREE, ORDER OR ATTACHED PAGES.**
9. A Wage Withholding Order must be submitted when child support, medical support and arrears are addressed.
10. Make sure you submit a Statement of Evidence, which is required if the Respondent was served by posting or publication.
11. A Certificate of Last Known Address and Affidavit of Non-Military Status must be on file on all **DEFAULTS.**
12. The proposed Decree or Order must contain language regarding child support, medical support, conservatorship and possession and access id children are involved.
13. If children are involved, the Decree or Order must contain a required finding concerning family violence.

14. If there has been a prior order involving the child(ren) of the marriage setting child support, medical support, conservatorship, and/or visitation, you must bring a copy of your order and an Order to Consolidate.
15. If there are children born during the marriage but are not the biological children of the Husband, you must bring documents showing that another man has been established as the biological father, either through an Acknowledgment of Paternity, a Court Order, or an affidavit signed by the Mother and / or biological Father acknowledging the paternity.

If you are unsure how to proceed, please consult an attorney. The Law Library on the 3rd floor of the Taylor County Courthouse is available for everyone to review forms and additional instructions regarding a divorce. **THE COURT AND COURT STAFF ARE UNABLE TO GIVE YOU LEGAL ADVICE.**

If you need a hearing, you may obtain a setting by requesting a hearing in writing, indicating the type of hearing that you are requesting. If the other party has made an appearance, you must send the other party a copy of the letter. If this will be a contested hearing, you must state the amount of time you anticipate needing.

You may review documents or the status of your case online at www.taylorcountytexas.org and use the prompts for public access and / or search court and jail records.